

Docket No.
A261-USA

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS

the specification of which
(check one)

☐ is attached hereto.

☒ was filed on February 21, 2002 as United States Application No. or PCT International
Application Number 10/080,881
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Malcolm J. Romano 28,752

Lee J. Mandell 37,176

Gary D. Schnittgrund 42,130


K.Cyrus Khosravi 40,375

Send Correspondence to: **Lee J. Mandell**
The Alfred E. Mann Foundation for Scientific Research
P.O. Box 905
Santa Clarita, CA 91380-9005

Direct Telephone Calls to: *(name and telephone number)*
Lee J. Mandell, 661-775-3995

Full name of sole or first inventor Richard J. Nelson	
Sole or first inventor's signature <i>Richard J. Nelson</i>	Date 3-4-07
Residence Canyon Country, California	
Citizenship United States	
Post Office Address 20216 Lakemore Drive, Canyon Country, California 91351	

Full name of second inventor, if any Joseph H. Schulman	
Second inventor's signature <i>Joseph H. Schulman</i>	Date 3-5-4
Residence Santa Clarita, California	
Citizenship United States	
Post Office Address 16050 Comet Way, Santa Clarita, California 91387	

Full name of third inventor, if any Joseph N. Walker	
Third inventor's signature 	Date 11/14/4, 2004
Residence Canyon Country, California	
Citizenship United States	
Post Office Address 18540 Soledad Canyon Road #38, Canyon Country, California 91351	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



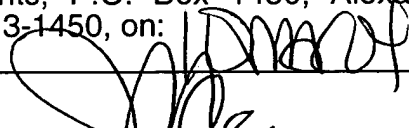
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Nelson, et al.	Art Unit:	3762
Serial No.:	10/080,881	Examiner:	Getzow, Scott M.
Filed:	February 21, 2002		
Docket No.:	A261-USA		
For:	MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS		

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on:



Marie W. Lau

PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)

Dear Sir:

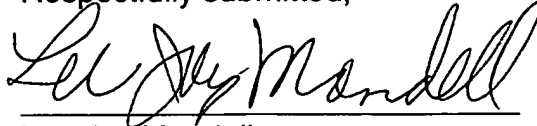
Pursuant to 37 C.F.R. 1.48(a), Applicant hereby petitions the Commissioner to correct inventorship in the above-identified patent application. As supported by the enclosed declarations of Richard J. Nelson and Joseph H. Schulman, applicants, without deceptive intent, incorrectly named the inventors in the declaration filed in the parent application, Magnet Control System For Battery Powered Living Tissue

Stimulators, 10/080,881, filed February 21, 2002. The correct inventorship is shown in the new declaration provided herewith.

3/9/04

Date

Respectfully submitted,

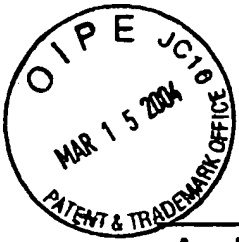
A handwritten signature in black ink, appearing to read "Lee Jay Mandell", written over a horizontal line.

Lee Jay Mandell

Attorney for Applicant

Reg. No. 37,176

Alfred E. Mann Foundation for Scientific Research
P.O. Box 905
Santa Clarita, CA 91380-9005
(661) 775-3995
(661) 775-1595 (fax)



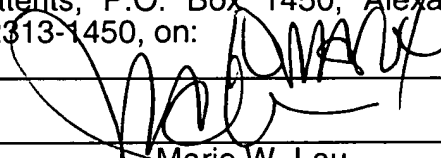
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Marie W. Lau

**DECLARATION OF JOSEPH H. SCHULMAN IN SUPPORT OF A
PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)**

Dear Sir:

I, Joseph H. Schulman, state and declare:

1. I am an employee of the Alfred E. Mann Foundation for Scientific Research and I am an originally named inventor in the present application, US patent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002 (the "original application").

2. Richard J. Nelson has reported to me that as part of his work for the Alfred E. Mann Foundation for Scientific Research, he periodically met with Joseph Walker prior to, and after, the filing of the original application. During at least one of these meetings, he discussed the implementation of cylindrical subject matter of the invention disclosed

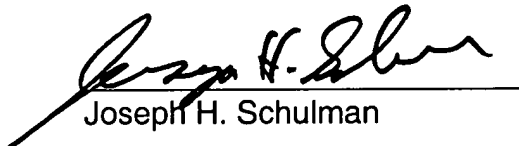
in the original application and related subject matter and a drawing was provided in the filing of the original application. He subsequently discussed the scope of the claimed invention and as a result of these meetings, the claims 3, 33, and 52 have been amended and claims 55-63 have been added. Accordingly, I now believe that Mr. Walker is clearly an inventor in that which is claimed in the present application.

3. Neither the Alfred E. Mann Foundation for Scientific Research nor I had any deceptive intent in not naming Joseph Walker as an inventor in the original application.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

3-5-4
Date


Joseph H. Schulman

Alfred E. Mann Foundation for Scientific Research
P.O. Box 905
Santa Clarita, CA 91380-9005
(661) 775-3995
(661) 775-1595 (fax)



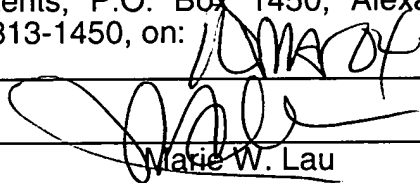
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Marie W. Lau

**DECLARATION OF RICHARD J. NELSON IN SUPPORT OF A
PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)**

Dear Sir:

I, Richard J. Nelson, state and declare:

1. I am an employee of the Alfred E. Mann Foundation for Scientific Research and I am an originally named inventor in the present application, US patent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002 (the "original application").

2. As part of my work for the Alfred E. Mann Foundation for Scientific Research, I periodically met with Joseph Walker prior to, and after, the filing of the original application. During at least one of these meetings, we discussed the implementation of cylindrical subject matter of the invention disclosed in the original application and

related subject matter and a drawing was provided in the filing of the original application. We subsequently discussed the scope of the claimed invention and as a result of these meetings, the claims 3, 33, and 52 have been amended and claims 55-63 have been added. Accordingly, I now believe that Mr. Walker is clearly an inventor in that which is claimed in the present application.

3. Neither the Alfred E. Mann Foundation for Scientific Research nor I had any deceptive intent in not naming Joseph Walker as an inventor in the original application.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

3/5/04
Date

Richard J. Nelson
Richard J. Nelson

Alfred E. Mann Foundation for Scientific Research
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Santa Clarita, CA 91380-9005
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(661) 775-1595 (fax)